

COUNTY LOCAL LAWS

AND]] OR THAT THE SAME WILL NOT SERVE [[AT LEAST]] A MINIMUM OF FIVE (5) DWELLINGS OR COMMERCIAL BUILDINGS FOR EACH MILE SO PETITIONED.

(I) THE DECISION OF THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE, WHEN PUBLISHED IN WRITING, SHALL BE APPEALABLE TO THE BOARD OF APPEALS, BUT HIS APPROVAL OF ANY SUCH PETITION SHALL NOT BE CONSIDERED A FINAL APPROVAL AND ACCEPTANCE BY THE COUNTY, WHICH SAID ACCEPTANCE WILL CONSIST OF A DETERMINATION BY THE COUNTY EXECUTIVE THAT THE ACCEPTANCE IS NECESSARY AND CONVENIENT FOR PUBLIC USE.

(J) IF THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE DETERMINES THAT THE PETITION SHOULD BE ALLOWED, HE MAY, AFTER THE EXPIRATION OF ANY APPEAL PERIOD AND WITH THE WRITTEN APPROVAL OF THE COUNTY EXECUTIVE, CAUSE INTERIM OR EMERGENCY IMPROVEMENTS TO BE MADE TO THE SUBJECT STREET, AVENUE, ROAD OR ALLEY.

(K) AFTER INTERIM EMERGENCY REPAIR IS MADE, THE RIGHT-OF-WAY DIVISION SHALL PROCEED TO SECURE BY DEED THE DEDICATED RIGHTS-OF-WAY. THE COUNTY SHALL NOT MAINTAIN ANY ROAD [[FOR WHICH]] UNTIL SUCH TIME AS THE ENTIRE RIGHT-OF-WAY HAS [[BEEN]] BEEN TURNED OVER TO THE COUNTY, ACCEPTED AND SO RECORDED, OR WHERE PUBLIC USE IS CLEARLY ESTABLISHED FOR A PERIOD OF TWENTY (20) YEARS OR LONGER[[]]].

SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this ordinance which can be given effect without the invalid provision or application, and to this end, all the provisions of this ordinance are hereby declared to be severable.

SECTION 3. AND BE IT FURTHER ENACTED, That this Ordinance shall take effect forty-five (45) days from the date it becomes law.

APPROVED AND ENACTED: December 28, 1972.
